

are payable for that month. However, when benefits are suspended or terminated for one member of a couple because of ineligibility for a month, the member who remains eligible assumes the eligibility status of an eligible individual without an eligible spouse for such month and the benefit rate and payment amount will be determined as an eligible individual for the month.

[50 FR 48572, Nov. 26, 1985]

### Subpart E—Payment of Benefits, Overpayments, and Underpayments

AUTHORITY: Secs. 702(a)(5), 1601, 1602, 1611 (c) and (e), and 1631 (a)–(d) and (g) of the Social Security Act (42 U.S.C. 902(a)(5), 1381, 1381a, 1382 (c) and (e), and 1383 (a)–(d) and (g)).

#### § 416.501 Payment of benefits: General.

Payment of SSI benefits will be made for the month of initial eligibility and each subsequent month provided all requirements for eligibility (see § 416.202) and payment (see § 416.420) are met. In the month the individual first meets all eligibility requirements and the month in which an individual re-establishes eligibility after at least a month of ineligibility, benefits are paid for such a month beginning with the date in the month on which the individual meets all eligibility requirements. In some months, while the factors of eligibility based on the current month may be established, it is possible to receive no payment for that month if the factors of eligibility for payment are not met. Payment of benefits may not be made for any period that precedes the date on which an application is filed or, if later, the date all conditions for eligibility and payment are met. It is possible for a couple to become eligible in the same month but as of different dates and receive different payment amounts for that month if they file their applications on different dates or if they meet the necessary requirements (for example, age) on different dates.

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#### § 416.502 Manner of payment.

For the month an individual first meets all eligibility requirements or reestablishes eligibility after a month of ineligibility, an SSI payment will be made on or after the day of the month on which the individual becomes eligible or reeligible to receive benefits. In all other months, a payment will be made on the first day of each month and represents payment for that month. If the first day of the month falls on a Saturday, Sunday, or legal holiday, payments will be made on the first day preceding such day which is not a Saturday, Sunday, or legal holiday. Unless otherwise indicated, the monthly amount for an eligible couple will be divided equally and paid separately to each individual. Section 416.520 explains emergency advance payments.

[55 FR 4422, Feb. 8, 1990]

#### § 416.503 Minimum monthly benefit amount.

If you receive an SSI benefit that does not include a State supplement the minimum monthly SSI benefit amount payable is \$1. When an SSI benefit amount of less than \$1 is payable, the benefit amount will be increased to \$1. If you receive an SSI benefit that does include a State supplement and the SSI benefit amount is less than \$1 but when added to the State supplement exceeds \$1, the SSI benefit amount will not be increased to \$1. Rather, we pay the actual amount of the SSI benefit plus the State supplement.

[50 FR 48572, Nov. 26, 1985]

#### § 416.520 Emergency advance payments.

(a) *General.* Before we make a determination on an application, we may pay a one-time emergency advance payment to an individual who is presumptively eligible for SSI benefits and who has a financial emergency. The amount of this payment cannot exceed the Federal benefit rate (see §§ 416.410 through 416.414) plus the State supplementary payment, if any (see § 416.202), which apply for the month in which payment is made. *Emergency advance payment* is defined in paragraph